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**A WINDOW IN PRISON
&
PRISON-LAND**

By
JAWAHARLAL NEHRU

PRICE FOUR ANNAS

I

A WINDOW IN PRISON

THE high walls of a prison shut one off effectively from the outside world of change and movement. A prisoner's horizon is the top of these walls and the only expanse he sees is the blue expanse of the heavens above him. But sometimes a benevolent and considerate government provides him with little windows from which he can survey the wide world beyond. They are narrow and coloured, these tiny windows in prison, and they are apt to give a restricted and distorted vision. But none the less they afford some amusement and are welcome in the dull monotony of prison life.

One such window is the *Statesman* the "most widely read news-paper in all India." Daily, Mondays excepted, it used to bring an air of romance to us, a breath of optimism to cheer us up. And through this many coloured window we saw a distressful world struggling in the octopus-grip of depression and conflict and doubt and uncertainty; but in this sorry world there was one bright spot, the land of India, sheltered from all ills by the British Government. Here was the fabled and far-famed land of Cockaigne, where every crow was a peacock and every goose a swan; here strong silent men, floating serenely and majestically in the upper regions, like imperial eagles, protected the land and only swooped down occasionally

to rid it of human rats and other noxious animals; here every man in authority was a Solon, and every knighted fool a statesman; here, one could almost feel, but for the irritating antics of certain miserable, blind and ungrateful human beings, that all was for the best under this best of all possible governments.

It was a pleasant thought that when all the rest of the world was awry and many of its thinkers were on the verge of despair and did not know where to find a remedy, there was in India this green oasis of self-confidence and self-praise amongst our rulers, and thought and new ideas were considered undesirable and unnecessary commodities. Such was the general view we had in prison through our little window.

Sometimes, not infrequently, humour came to us to lighten the burden of our days, in the shape of speeches and addresses by governors; for our governors, though stronger than ever, are no longer silent. Having hushed other voices, they feel it their duty to shout loud and frequently and give us their views on life and its many problems. These solo performances became particularly amusing when economics and modern social problems were touched upon, and a measure of sympathy went out to the performers at this addition to their many burdens, for which they had received no training. Perhaps the sympathy was wasted, for in their own opinion the performances may have been adequate.

Still I shall venture to make a suggestion. Sir Malcolm Hailey is considered, with justification, to be a successful performer on the platform, and perhaps there is no other among the tribe of governors. Sir Malcolm is already considered almost too big and too wise a person

for a governorship. Why not make him a kind of super-governor for the training of selected candidates for governorship? These aspirants might go through a brief course and learn how to deliver a vice-chancellor's address with occasional classical references and many pious platitudes, and a special dissertation on the danger of students or teachers dabbling in politics (all pro-government activities of course not being considered politics); how to answer an address from a municipal board and criticise its finances, with a special dissertation on the undesirability of municipalities mixing civics with politics (this has of course nothing to do with municipal teachers and other employees joining Aman Sabhas and similar organisations, and publicly working against such illegal or undesirable organisations as the Congress. Such public work should be commended); how to praise the police for their loyalty, efficiency, self-sacrifice, patriotism, gentleness, non-violence, amiability, sweet reasonableness, and purity of conduct, and tell them how they are above politics and their sole duty is to preserve law and order so that the nation may live peacefully and contentedly under the shadow of their protection; how to address Legislative Councils and praise the members for the high statesmanship they have shown in supporting government and the real moral courage they have exhibited in holding on to their seats in spite of popular disapproval, and further to tell them that the British Government stands for and has always stood for democracy as against dictatorship (it being made clear that the Viceroy's and governors' vast powers and ordinances and the like, are not in the nature of dictatorship but are meant only to safeguard special responsibilities); how to attend princes' banquets and

reply to toasts praising the progressive regime of the prince, who, in the course of a brief decade, has succeeded in establishing one secondary school, two primary schools, two dispensaries, a zoo with a monkey house, three game preserves, ten large motor garages, five stables for polo ponies, kennels for a large number of dogs, and a jazz band, and has built six new palaces to give employment to labour; and that, in further consideration for his peoples' welfare, keeps away in Europe for most of the time;—in the reply to the prince it should be pointed out that autocracy is obviously suited to the genius of India; how to address an association of business men and merchants and point out to them that politics must not be mixed up with business and trade and true success and prosperity lie in the business man sticking to his own job and co-operating with the Government and the city of London so that India's credit may stand high; how to address zamindars and taluqadars and, agreeing with them that they are the salt of the Indian earth, encourage them in every way to organise themselves and take part in politics, so that the semi-feudal zamindari system, which is ideal for India, might continue and vested interests may be protected, and the constitution have stability;—and so on. This list has become long enough and must be ended. But it will show that the subjects are endless and each one has to be dealt with separately from its own angle.

I have referred to governors' speeches bringing a touch of humour to our prison lives. But sometimes they were not humorous or amusing, as when Sir Malcolm Hailey referred at Muttra to the Congress "hiring young girls and old women to go to gaol as political martyrs."

To go back to our little window—the *Statesman*.

A source of delightful romance that seldom failed was its Simla correspondent. In measured language, which gave us a glimpse of the powerful mind working behind it, the Indian political scene was surveyed and the inner workings of Gandhiji's and the Congress mind were laid bare before us. We were told what they were thinking and what they were going to do to extricate themselves from the morass in which they had got stuck. Subsequently, when Mr. Gandhi or the Congress were foolish enough not to act in the manner forecasted, it was pointed out with evident truth how inconsistent they were. They had evidently changed their minds at the last moment and thus played a rather low trick on the Simla correspondent. It had been obvious enough before that a few wild men of the Congress were dragging Mr. Gandhi along, although all he wanted was peace and quiet and an opportunity to do solid constructive work. And then, almost as if to spite the correspondent, Mr. Gandhi changed places with the wild men and became as wild and aggressive as ever, dragging the peaceful Congress along with him. This was obviously not a sporting thing to do; it was not cricket.

But the true charm of the Simla correspondent lies in his inimitable style, which tells us something and yet does not tell it, which hints and suggests and indicates and insinuates and alludes and yet gracefully avoids definite statement, which says something (and yet does not say it) in a score of sentences which an unlearned and unsophisticated person would say rather bluntly in one short sentence. Perhaps the credit for this coy and coquettish style does not wholly belong to the correspondent, and it should rightly go to Gorton Castle where sit the mighty

men weaving the web of India's destiny.

Sometimes the Simla correspondent excels even his own high standard. What could be more delightful than the brave comparison of the air-bombing of the frontier villages with the far worse tale of death and disaster by motor accidents in England's green and pleasant land! Or the silencing of ignorant and vulgar critics by the demonstration that no real damage is done by these air raids; the inhabitants simply walk out of their huts or houses with their wives, goods and chattels, as soon as they receive warning, the empty huts are destroyed, and back come the residents to build their huts anew and perhaps after a better fashion, and life goes on again with scarce a ripple on its placid surface. There is little ill-feeling in the matter and no doubt, with the resumption of normal relations the Khan of Kotkai will lead a deputation to the British authorities or the R. A. F. to convey their thanks for the opportunity given them to rebuild their little towns on more modern principles of town-planning. Or perhaps the Khan will request that new organization with a fine resounding name, dear to the heart of the *Statesman*, the "Central Muslim Federation of Delhi," to undertake this pleasant task, provided the Khan can locate the Federation. But, no doubt, the Delhi office of the *Statesman* will help in the search; and later we shall read all about the deputation in the principal page of the newspaper, and the editor will write a learned and philosophical article on the hidden virtues of air-bombing.

The Simla correspondent occupies a class by himself; he defies comparison. But perhaps one may venture to place, not far below him, some of the Indian contributors to the *Statesman*. Long research and patient study have

made them grasp the full significance of the Battle of Plassey. They possess a deep and profound knowledge of all its implications and consequences, and this learning helps them greatly to understand the course of current events. It would perhaps not be correct to say that they have paid no attention to happenings subsequent to Plassey. Occasional flashes, lighting up the interior of their minds, have disclosed that they are also fully aware of the fact that early in the nineteenth century India took to English education and her chosen sons plunged into the wells of English political thought. Indeed they could hardly ignore this alliance as they themselves are the choice fruits of this early marriage. It is also obvious that they have heard of the fact that some time in the eighteen-seventies Queen Victoria became Empress of India.

It is by no means clear whether these learned Indian contributors of the *Statesman* have paid any heed to recent events such as those that have occurred during the last half century or so. Perhaps they feel, lost in the full contemplation of Plassey, that a mere fifty years of recent history can have little fundamental importance. It may be that they are right and we of a later day, without such deep roots in the past, and ignorant of the far-reaching significance of the Battle of Plassey are apt to attach too much importance to recent events.

Truth, it is said, lives at the bottom of a well. But what is a well to the eagle eyes of a *Statesman* correspondent! One such correspondent told us once the "Truth about the Andamans," those far off islands with an unsavoury reputation. Reading his account our fears vanished and we began almost to envy those fortunate persons who were made to live in these delectable islands.

We were told that the Andamans were an ideal health resort for the convicts. The Punjabis thrive there, and, as for the Bengalis, "the settlement is climatically a 'home from home.' " "One may wonder," continued the correspondent "why anarchist activities should be considered to qualify a man for all these advantages offered him by detention in the Andamans." Indeed, one may well wonder that even in this paradise some people are mad and foolish enough to starve themselves to death!

And perhaps it is fitting that with this exclamation of wonder and amazement we should close this window that gave us so many glimpses in prison of the wonderful world outside.

II

PRISON-LAND

A writer in a recent issue of an English periodical stated that the stress and strain of politics and prison life had broken me up. I do not know what his sources of information were, but I can say from a fairly intimate knowledge of my body and mind, that both of them are tough and sound and not in any danger of a break-up or collapse in the near future. Fortunately for myself, I have always attached importance to bodily health and physical fitness, and though I have often enough ill-treated my body, I have seldom permitted it to fall ill. Mental health is a more invisible commodity but I have taken sufficient care of that also and I am vain enough to imagine that I possess more of it than many a person who has not had to suffer the strain of active Congress politics and passive gaol life.

But my health or ill-health is a small matter which need not worry any one, although friends and newspapers have given it undue prominence. What is far more important, from the national and social point of view, is the state of the prisons and the bodily and mental conditions of the vast population that they house in India. It is a notorious fact that strong and brave men have suffered greatly and even collapsed bodily under the terrible strain of prolonged gaol life and detention. I have seen my nearest and dearest suffer in prison and the list of my personal friends who have

done so is a long and painful one. Only recently a dear and valued colleague, a friend whom I first met in Cambridge more than a quarter of a century ago, and who was among the bravest of the brave in this unhappy country of ours, J. M. Sen-Gupta, met his death while under detention.

It is natural that we should feel the sufferings of our colleagues, and those whom we have known, more than the misery of the thousands who are unknown to us. And yet it is not about them that I am writing these few lines. We, who have willingly sought to pass the forbidding iron gates of prison have no wish to squeal or to complain of the treatment given. If any of our countrymen are interested and wish to raise the question, it is for them to do so. Such questions are frequently raised, but as a rule they relate to well-known individuals, and special treatment for them is sought on the ground of their social position. To meet the clamour, a small handful are given what is called "A" and "B" class treatment; the great majority, probably over 95 per cent., face the full rigours of gaol life.

This differentiation into various classes has often been criticised and rightly criticised. To a slight extent it might be justified on medical grounds for it is highly probable that some people, used to a different diet, may develop the most violent disorders, as indeed many do, if they have to subsist on gaol diet. It is also obvious that some persons are physically incapable of the extreme forms of manual labour. But, apart from this, it is a little difficult to imagine the justification for depriving "C" class prisoners of the so-called privileges given to others. A higher class is supposed to be given because of higher 'social status' or a higher standard of life. One of the tests laid down, I be-

lieve, is the amount of land revenue a person pays. Does it follow from a higher revenue that the person is more attached to his family and is therefore entitled to more interviews or letters? Or that greater facilities should be given for reading and writing? Those who pay large sums as land revenue are not usually noted for their intellectual attainments.

I do not, of course, mean to imply that those who get special facilities for interviews or letters or reading and writing should be deprived of these. These so-called privileges are poor enough as they stand, and it is well to realise that in most other countries the worst and lowest type of prisoner gets far more 'privileges' of this kind than even the 'A' class prisoner in India. And yet these 'A' and 'B' class privileges are given to such an insignificant number that they might well be ignored in considering the Indian prison system. Fundamentally, 'A' and 'B' classes are meant as something to show off and soothe public opinion. Most people who do not know the real facts are misled by them.

Some of the 'A' class prisoners, as also especially some of the detenus or State prisoners, have often to undergo one experience which is peculiarly distressing. They are kept alone without a companion for many months at a time, and, as every doctor knows, this loneliness is very bad for the average person. Only those who have strictly trained and disciplined their minds and can turn inwards, can escape ill effects. It is true that the prisoner or detenu is given the advantage of a few minutes' conversation daily with a member of the prison staff, but this is an advantage which is not seized with cheering and acclamation. This policy of more or less solitary confinement is apparently quite deliberate on the part of Government. I remember

that about the time I was arrested in December 1931, Khan Abdul Ghaffar Khan was also arrested in Peshawar or Charsadda. Four arrests were made at the same time: Khan Abdul Ghaffar Khan, his brother Dr. Khan Sahib, Dr. Khan Sahib's young son, and a colleague of theirs. They were all brought down by special train and distributed in four separate prisons in four different cities. It was easy enough to keep all of them, or father and son, or brothers together. But this was deliberately avoided and each one was, I believe, kept alone and by himself without any companion. At any rate I know that Dr. Khan Sahib was so kept in Naini prison. For over a month I was also in Naini then but we were kept apart and not allowed to meet. It was tantalizing for me, for Dr. Khan Sahib was a dear friend of my student days in England and I had not met him for many years.

It is not a question of favoured treatment for political prisoners. I know perfectly well that the treatment of politicals will grow progressively worse, as it has done in the course of the last dozen years. The only possible check is that of public opinion, but even that does not count in the last resort unless it is so strong as to ensure victory.

Thus it is obvious that political prisoners must expect progressively bad treatment. In 1930-31 the treatment was worse than in 1921-22, in 1932 it was worse than in 1930-31. To-day an ordinary political prisoner is certainly worse off in gaol than a non-political convict. Every effort is often made to harass him into apologising or at least to make him thoroughly frightened of prison.

It has been stated on behalf of Sir Samuel Hoare in the House of Commons that "over 500 persons in India were whipped during 1932 for offences in connection with the

civil disobedience movement.” The existence or otherwise of whipping is often considered a test of the degree of civilization in a State. Many advanced States have done away with it altogether and even where it has been retained, it has been kept for, what are considered, the most degrading and brutal crimes, such as violent rape on immature girls. Some months ago, I believe, there was a discussion in the Assembly on the question of retaining the punishment of whipping for certain (non-political) crimes. It was pointed out by Government spokesmen that this was necessary for some brutal crimes. Probably every psychologist and psychiatrist is of a contrary opinion and holds that a brutal punishment is the most foolish of methods for dealing with brutal crimes. But, however that may be, in India we see that it is quite a common occurrence now for flogging to be administered for purely political and technical offences, admittedly involving no moral turpitude, or for petty offences against prison discipline.

Yet another advance has been recorded in the treatment of women political prisoners. Many hundreds of women were sentenced and an extraordinarily small number of them were put in ‘A’ or ‘B’ classes. As it happens, the lot of women in prison—political or non-political—is far worse than that of men. Men do move about within the gaol in going to and fro in connection with their work; they have change and movement and this is helpful in refreshing their minds to some extent. Women, though given lighter work, are closely confined in a small place and lead a terribly monotonous existence. Women convicts are also as a rule far worse as companions than the average male convicts. Among men there is a large proportion of thoroughly non-criminal types, decent village

folk who had a brawl over a land dispute and managed to get long sentences as a result. The criminal element is proportionately much higher among the women. The great majority of women political prisoners, most of them bright young girls, had to endure this suffocating atmosphere. It seems to me that hardly anything that has taken place in our prisons or outside is quite so bad as the treatment of our women folk.

I would not have any women, whether she belongs to the middle classes or the peasantry or the working classes, subjected to the treatment that has been accorded to them in our prisons. As it happens, the great majority of women political prisoners have been from the bourgeois or middle classes. The peasant may go to prison for a political purpose but his wife goes very seldom. Considered from the standpoint of Government, the social standards of the women politicals were relatively high. Wives of vakils, bank managers and the like were placed in 'C' class. Ladies who had been my honoured hostesses and in whose houses I had stopped, were sent to the 'C' class.

In the course of a speech in the U. P. Legislative Council last year, the then Home Member, made the flesh of members creep by suggesting that if conditions in gaols were improved for politicals, all the dacoits would forthwith come to gaol as political prisoners. I believe he advanced some similar argument against improving the condition of women prisoners. No doubt these arguments were up to the intellectual standards of the majority of his audience and they served their purpose. For those of us who live in the outer darkness, it is interesting to plumb the depths of knowledge and understanding which the

Home Member's statement revealed—understanding of the nature of dacoits and the like, knowledge of criminology, psychology and human nature. The arguments lead us to certain conclusions which perhaps did not occur to the Home Member. If a dacoit is prepared to leave his profession and go to gaol, if gaol is not too harsh, it follows that he will be much more prepared to quit dacoity and crime if a minimum of security and life's necessities come to him outside gaol. That is, the urge to dacoity is the economic urge of hunger and distress; remove this urge and dacoity goes. The cure for dacoity and crime is thus not heavy punishment but removal of the basic cause. But I have no desire to make last year's Home Member responsible for such far-reaching and revolutionary notions, although they may logically follow from what he said. From another and a higher office he has been letting us have occasional glimpses of his deep knowledge of the laws of economics and no doubt he would repudiate such heresy.

Reference is often made to political prisoners and Government has refused to classify them separately. I think, under the circumstances, Government has been right. For who are the politicals? It is easy enough to separate the civil disobedience prisoners, but there are many other ways of catching an inconvenient political agitator than under the so-called political sections of various laws and ordinances. It is a common occurrence in rural areas for peasant leaders and workers to be run in under the preventive sections of the Criminal Procedure Code or even for more serious offences. Such persons are as much political prisoners as any others and there are large numbers of them. This procedure is not usual in

the larger towns because of the publicity involved.

High walls and iron gates cut off the little world of prison from the wide world outside. Here in this prison world every thing is different; there are no colours, no changes, no movement, no hope, no joy for the long term prisoner, the 'lifer'. Life runs its dull round with a terrible monotony; it is all flat desert land with no high points and no oases to quench one's thirst or shelter one from the burning heat. Days run into weeks, and weeks into months and years till the sands of life run out.

All the might of the State is against him and none of the ordinary checks are available. Even the voice of pain is hushed, the cry of agony cannot be heard beyond the high walls. In theory there are some checks and visitors and officials from outside go to inspect. But it is rare for a prisoner to dare to complain to them, and those who dare have to suffer for their daring. The visitor goes, the petty gaol officials remain, and it is with them that he has to pass his days. It is not surprising that he prefers to put up with his troubles rather than risk an addition to them.

The coming of political prisoners in large numbers threw some light into the dark corners of prison-land. A breath of fresh air came in bringing with it some hope to the long-term prisoner. Public opinion was stirred a little and some improvements followed. But they were few and essentially the system remains as it was. Sometimes one hears of 'riots' in gaols. What exactly does this signify? Perhaps the prisoners were to blame. And yet it is a mad thing to do for unarmed, helpless prisoners, surrounded by high walls, to challenge the armed might of the gaol staff. There can only be one outcome of it,

and inevitably one is led to think that only extreme provocation could induce the prisoners to this act of folly and despair.

There are enquiries, either departmental or perhaps by the District Magistrate. What chance has the prisoner? On the one side a fully prepared case supported by the staff and the numerous prisoners who must do their bidding; on the other, a frightened shivering outcaste of humanity, manacled and fettered, who has no one's sympathy and whom no one believes. The Judicial Secretary to the U. P. Government stated in the local Council last November that those who had been confined in gaol, being interested parties, must be considered as unreliable. So the poor prisoner being very much an interested party when he is himself beaten or ill-treated cannot obviously be believed. It would be interesting to find out from the U. P. Government what evidence, short of the testimony of the invisible and supernatural powers, a prisoner could produce under the circumstances.

But for the tragedy behind them one might appreciate the humour of private governmental enquiries. Sir Samuel Hoare grows righteously indignant whenever any charge is made against the police or the gaol staffs and is consistent in refusing all public or impartial enquiries. I seem to recollect that there was a departmental¹ enquiry in the Hijli affair about two years ago, and shortly afterwards an official enquiry held that the official version of the occurrences had been entirely wrong. But then that was an unusual affair. Most departmental enquiries are not checked in this way. One feels like having recourse to the delightful plays of Sir William Gilbert for an analogy, or perhaps that classic of English childhood, the

immortal Alice, is even more suitable:

*Fury said to a mouse,
That he found in the house,
Let us both go to law:
I will prosecute you.
We must have the trial;
For really this morning
I've nothing to do!
Said the mouse to the cur,
'Such a trial, dear sir,
With no jury or judge,
Would be wasting your breath.'
I'll be judge, I'll be jury,
Said cunning old Fury;
I'll try the whole cause
And condemn you to death.'*

I had a personal experience last year which has a certain wider significance. The jailor of the Allahabad District Jail insulted and hustled out my mother and wife when they were having an interview with my brother-in-law. I was angry when I heard this. And yet I did not attach much importance to the incident for all it signified was that an ill-trained and ill-mannered official had misbehaved. I expected some expression of regret from some higher official. Instead, punishments were awarded by Government to my mother, wife and brother-in-law, of course without the slightest reference to them. Indirectly I was punished by not being allowed to see my mother or wife for a period. An enquiry from me to the Inspector-General brought a brief reply containing an unmannerly reference to my mother. It was only

at this stage that Government found out the true facts from me and from statements made by my mother and wife.

It was obvious that they had erred egregiously. In spite of my asking them repeatedly they have not pointed out any error in our statements and I must therefore take it that they accept those versions as indeed they must. If so, they had acted very foolishly in the first instance and the least they could do was to express regret. I am still waiting for that straightforward expression of regret.

If such treatment can be accorded to my mother and wife and can be followed by the strange behaviour and obstinacy of Government, it can well be imagined what the average less-known prisoner and his people have to put up with. Our whole system of Government, superimposed as it is from above and without any roots in the people, can only hang together so long as one peg supports the other. That is its strength, and that, fortunately, is its weakness, for where the collapse of such a system comes, it is complete.

Last year I ventured to write to the Home Member from prison and I told him that after twelve years of a fairly extended experience of prison conditions in the U. P., I had come very regretfully to the conclusion that the gaols in this province were steeped in corruption and violence and falsehood. Many years ago I pointed out some of the abuses to a Superintendent of my prison (he became Inspector-General afterwards). He admitted them and said that when he first joined the Prison Department he was full of enthusiasm for reform. Later he found that little could be done, so he allowed things to

take their course.

Indeed little can be done by the best of individuals—and many of those in charge can hardly be considered shining examples. An Indian prison is after all a replica of the larger India. What counts is the objective—is it human welfare or just the working of a machine or the preservation of vested interests? Why are punishments given—as society's or government's revenge or with the object of reforming?

Do judges or prison officers ever think that the unhappy wretch before them should be made into a person capable of filling his place in society when he comes out of prison? It almost seems an impertinence to raise these questions for how many people really care?

Our Judges are, let us hope, large-hearted; they are certainly long-sentencing. Here is an "Associated Press" message from Peshawar dated December 15, 1932: "For writing threatening letters to the Inspector-General of Police and other high officials of the Frontier soon after the Coldstream murder, accused named Jamnadas has been sentenced by the City Magistrate of Peshawar to eight years' imprisonment under Section 500-507 I. P. C." Jamnadas was apparently a young boy.

Here is another remarkable instance—also an A. P. message, dated April 22, 1933 from Lahore: "For being in possession of a knife with a blade seven inches long, a young Muslim named Saadat was sentenced by the City Magistrate under Section 19 of the Arms Act to 18 months' rigorous imprisonment."

And a third instance from Madras, dated July 6, 1933. A boy named Ramaswami threw a harmless cracker in the court of the Chief Presidency Magistrate as he was

engaged in a conspiracy case hearing. Ramaswami was sentenced to four years, apparently in a Juvenile Prison.

These are three not unusual instances. They could easily be multiplied and there are worse cases. I suppose people are long suffering in India and past all astonishment at such amazing sentences. Personally I find that no amount of practice can prevent my gasping when I read of them. Anywhere else, except in Nazi Germany, such sentences would create a tremendous outcry.

And justice is not entirely blind in India; it keeps one eye open. In every agrarian brawl or riot large numbers of peasants get life sentences. Usually these petty riots take place when an exasperated tenantry are goaded beyond endurance by the agents of the landlords. A simple process of identifying all those who are supposed to have been present on the scene is enough to condemn them for life or to long terms of imprisonment. Hardly any attention is paid to the provocation and even the identification is usually of the feeblest kind. It is easy to drag in any individual who is in the bad books of the police. If the affair can be given a political tinge or connected with a no-rent campaign a conviction is all the easier and the sentences the heavier.

In a recent case a peasant who slapped a tax-collector was awarded a year's imprisonment. Another instance is somewhat different. It took place last July in Meerut. A Naib-Tahsildar went to realise irrigation dues from the residents of a village. One peasant was carried by the peons to where the Naib was seated and the peons complained that this man's wife and son had beaten them. A somewhat remarkable story. However the Naib ordered that the peasant should be vicariously punished for his wife's

offence and the three of them, the Naib and the two peons, beat the unhappy man with sticks. As a result of the beating the man died later. The Naib and the peons were subsequently tried and convicted for simple hurt but they were forthwith released on probation of good conduct for 6 months. The good conduct I suppose signified that they must not beat another man to death within the next 6 months. The comparison of these cases is instructive.

So the question of prison reform leads us inevitably to a reform of our criminal procedure and, even more so, a reform in the mentalities of our judges who still think in terms of a hundred years ago and are blissfully ignorant of modern ideas of punishment and reform. That of course leads, as everything else does, to a change of the whole system of government.

But to confine ourselves to the prisons. Any reform must be based on the idea that a prisoner is not punished but reformed and made into a good citizen. (I am of course not considering politicals. Most of them are so much steeped in error that they may be considered past reform). If this objective is once accepted, it would result in a complete overhauling of the prison system. At present few prison officials have even heard of such a notion. I have a recollection that the old U. P. Jail Manual had a paragraph pointing out that the prisoner's work was not meant to be productive or useful; its object was punitive. This was almost an ideal statement of what a prison should not be. That paragraph has since gone but the spirit still remains—a spirit that is harsh and punitive and utterly lacking in humanity. The list of prison offences in the U. P Jail Manual is an amazing one. It contains all that the wit of man can devise to make life as intolerable as

possible. Talking, singing, loud laughing, visiting latrines at other than stated hours, not eating the food given, etc., etc., are among the offences. It is not surprising that all the energy of the gaol staff goes in suppressing the prisoner and preventing him from doing the hundred and one things forbidden him.

Ignorant people imagine that if the punishment is not severe enough crimes will increase. As a matter of fact, the exact reverse is the truth. A century ago in England, petty thieves were hung. When it was proposed to abolish the death penalty for thieves, there was a tremendous outcry and noble lords stated in the House of Lords that this would result in thieves and robbers seizing everything and creating a reign of terror. As a matter of fact the reform had the opposite effect and crime went down. Crime has steadily gone down in England and other countries as the criminal law and prisons have been bettered. Many old prisons in England are not required as prisons now and are used for other purposes. In India, it is well-known that the prison population goes on increasing (quite apart from political prisoners) and the executive and judiciary help in this process by encouraging long and barbarous sentences. The imprisonment of the young is universally considered to be a most demoralising system and is avoided. Here in India gaols are full of young men and boys and frequently they are sentenced to whipping.

Another error which people indulge in is the fear that if gaol conditions are improved people will flock in! This shows a singular ignorance of human nature. No one wants to go to prison however good the prison might be. To be deprived of liberty and family life and friends and home surroundings is a terrible thing. It is well-known

that the Indian peasant will prefer to stick to his ancestral soil and starve rather than go elsewhere to better his condition. To improve prison conditions does not mean that prison life should be made soft; it means that it should be made human and sensible. There should be hard work, but not the barbarous and wasteful labour of the oil pumps or water pumps or mills. The prison should produce goods either in large-scale modern factories where prisoners work, or in cottage industries. All work should be useful from the point of view of the prison as well as the future of the prisoner, and the work should be paid for at market rates, minus the cost of maintenance of the prisoner. After a hard eight-hour day's work the prisoners should be encouraged to co-operate together in various activities—games, sports, reading, recitals, lectures. They should above all be encouraged to laugh and develop human contacts with the prison staff and other prisoners. Every prisoner's education must be attended to, not only in just the three Rs, but something more, wherever possible. The mind of the prisoner should be cultivated and the prison library, to which there must be free access, should have plenty of good books. Reading and writing should be encouraged in every way and that means that every prisoner should be allowed to have writing materials and books. Nothing is more harmful to the prisoner than to spend 12 to 14 hours at a stretch every evening locked up in the cell or barrack with absolutely nothing to do. A Sunday or holiday means for him a much longer period of locking up.

Selected newspapers are essential to keep the prisoner in touch with the world, and interviews and letters should be made as frequent and informal as possible. Personally,

I think that weekly interviews and letters should be permitted. The prisoner should be made to feel as far as possible that he or she is a human being and brutal and degrading punishments must be avoided.

All this sounds fantastic when compared with present-day prison conditions in India. And yet I have only suggested what the prisons of most of the advanced countries already have. Indeed they have much more. Our present administration, and indeed our Government itself, cannot understand or appreciate this as they have successfully imprisoned their own minds in prisons of dull routine. But public opinion must begin to demand these changes so that, when the time comes, they might be introduced without difficulty.

It must not be thought that these changes will involve much extra expenditure. If properly run on modern industrial lines the prisons can not only be self-supporting but can actually make a profit after providing for all the additional amenities suggested. There is absolutely no difficulty in introducing the changes except one—the absolute necessity of having a competent, human staff fully understanding and appreciating the new angle of vision and eager to work it.

I wish some of our people would study and, where possible, personally inspect, prison conditions in foreign countries. They will find how our prisons lag far behind them. The new human element is imposing itself everywhere, as also a recognition of the fact that a criminal is largely created by social conditions and, instead of being punished, has to be treated as for a disease. Real criminals are infantile in mind and it is folly to treat them as grown-ups. A delightful book which stressed this point

humorously long ago is Samuel Butler's "Erewhon."

In the prisons of the little country of Latvia even, we are told that "everything is done to create a homely atmosphere in the rooms and cells with plants, flowers, books and such personal belongings of the prisoners as photographs, handicrafts, and wireless sets." Prisoners are paid for their work, half the earnings accumulating and the other half being spent by prisoners on extra food, tobacco, newspapers, etc.

Russia, that terrible land of the Soviets, has perhaps gone farthest ahead in the improvement of prison conditions. Recently a competent observer inspected the Soviet prisons and his report is interesting. This observer was an eminent English lawyer, D. N. Pritt, K. C. who is also the Chairman of the Howard League for Penal Reform—an organization which has been the pioneer of prison reform in England for more than sixty years. Pritt tells us that the punitive character of punishment has been entirely removed and it is considered purely reformatory now. The treatment of prisoners is humane and remarkably good.

There are two types of prisons: (1) Semi-open camps or fully open communes or colonies. These are really not prisons at all; prisoners live a village life subject to certain restrictions. (2) Closed prisons. These are the hardest type of prisons and yet even here there is a surprising amount of freedom for the prisoners. There is a feeling of equality between warders and prisoners and unrestricted intercourse, except in working hours, with other prisoners or with guards. There is normal factory work for eight hours a day at normal wages. For the rest there are games, education, gymnastics, lectures, wireless,

books, and amateur dramatic performances by the prisoners. The prisoners also produce a wall newspaper and do not hesitate to criticize warders and other prison officials in it "for having forgotten that a prison is not for punishment, but for reformation."

The principle of self-government, which is encouraged in all institutions in Russia, is even practised to some extent in the prisons, the prisoners imposing penalties on themselves. Smoking is allowed except when at work. Frequent interviews are permitted and a virtually unrestricted and uncensored writing and reception of letters. And, most remarkable rule of all, almost always the prisoner is allowed a fortnight's summer holiday to go home to look after the harvest, etc. In the case of a woman prisoner who has a baby, she can either keep the baby in the prison creche, where the baby will be properly looked after or leave the baby at home. In the latter event the mother is allowed to go home several times a day to feed it!

There were flowers, pictures and photographs in the cells. Prisoners were regularly examined by psychiatrists to find out if their mental condition was satisfactory. Whenever necessary, prisoners were removed to mental hospitals for treatment. Solitary confinement was very rare.

Hardly credible. And yet there it is and the results of this humane treatment have been surprisingly good. The Russians hope to reduce crime substantially and to shut up most of their prisons. So the good treatment does not eventually fill up the gaols but empties them, provided the economic background is suitable and work is to be had.

A short while ago there was a meeting in the House

of Commons to consider the protection of animals in India. A very laudable object. But it is worth remembering that the two-legged animal, *homo sapiens*, in India is also worthy of care and protection— especially those who undergo the long physical and mental torture of prison life and come out impaired of the capacity for normal life.

Every prison cell in Norway has an inscription on its walls. It is a quotation from a speech of a famous Norwegian prisoner, Lars Olsen Skrefsvund, who served a long sentence for theft when drunk, came out to India afterwards and founded the Scandinavian Santal Mission. He became a great linguist knowing seventeen languages, ancient and modern, and among them of course was the Santal language. The passage in his speech which is exhibited in the prison cells runs as follows:

"Nobody can imagine what a prisoner feels but one who has at some time felt what it is to be a prisoner. Some idea of it may be formed, but this cannot express the feelings of the man who sits, sad and forsaken in his cell."

It is well that those whom fate or fortune keep out of the prison cell give thought sometimes to that sad and forsaken figure.

